

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ELIZABETH BINGHAM-PERRY,

Plaintiff,

- against-

JEFFREY R. PERRY,

Defendant.  
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12 Civ. 5294 (CS)

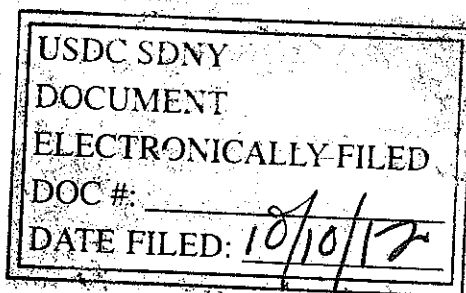
**NOTICE DISMISSING  
ACTION PURSUANT TO  
FED. R. CIV. PRO. 41(1)(A)**

ECF Case

**WHEREAS**, there is an action involving the parties herein pending in the Supreme Court of the State of New York, County of Westchester, entitled *Elizabeth Perry v. Jeffrey R. Perry*, Index no. 2151/1 1 (the "Matrimonial Action"), in which Plaintiff has sued Defendant for divorce; and

**WHEREAS**, on September 28, 2012, at approximately 3:30 P.M., in open court and on the record in the Matrimonial Action, Plaintiff Elizabeth Bingham-Perry, through her counsel in the Matrimonial Action and also directly, authorized Howard Foster, Esq., her lead counsel in the instant Federal action, to dismiss and discontinue this action, with prejudice.

**PLEASE TAKE NOTICE**, that, pursuant to Fed. R. Civ. Pro. 41(1)(A), Plaintiff hereby dismisses and discontinues the above-captioned action against Defendant, with prejudice, and without costs to any party. This notice may be filed without further notice with the Clerk of the Court.



*The Clerk shall close the case.*  
**So Ordered.**

*Cathy Seibel*  
Cathy Seibel, U.S.D.J.

Dated: 10/9/12

Dated: New York, New York  
October 1, 2012

Foster, P.C.  
*Attorneys for Plaintiff*  
*Elizabeth Bingham-Perry*  
*Admitted Pro Hac Vice*

By: /s/ Howard Foster

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